

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL PEAK,

Plaintiff,

v.

Case No. 2:15-cv-13330
District Judge Sean F. Cox
Magistrate Judge Anthony P. Patti

TERMINAL
MAINTENANCE AND
CONSTRUCTION, INC.,

Defendant.

**INTERIM ORDER ON MORGAN & MEYERS, P.L.C.'S MOTION TO
WITHDRAW AS PLAINTIFF'S COUNSEL (DE 18)**

This matter is before the Court for consideration of Plaintiff's counsel, Morgan & Meyers, P.L.C.'s ("Morgan & Meyers") motion to withdraw its representation of Plaintiff in this matter. (DE 18.) Specifically, Morgan & Meyers attorneys Jeffrey T. Meyers and Justin K. Hakala ask the Court to grant permission, pursuant to Eastern District of Michigan Local Rule 83.25, for the firm to withdraw from representation because they have been unable to reach Plaintiff for at least two months, despite calling all potential telephone numbers, writing to him at multiple addresses, and engaging the services of a private investigator. (Id. at ¶ 3-8.)

This matter came before me for a hearing on June 24, 2016, during which Mr. Hakala and Defendant's counsel, Bennet J. Bush, appeared before the Court. Mr. Hakala indicated that he attempted to mail letters to Plaintiff at six separate addresses, and had attempted to call at seven different phone numbers, to no avail, all of which were identified on the record. However, he also noted that he was unsure if a copy of the instant motion had been mailed to Plaintiff at any of the known addresses, or if Plaintiff had any notice of the hearing. Accordingly, because it is unclear whether all attempts have been made to inform Plaintiff of the instant motion, the Court orders the following:

1. WITHIN SEVEN DAYS OF THE DATE OF THIS ORDER,

Defendant's counsel shall file with the Court the last contact information (including address, phone number, and email address) as determined from its employment, personnel, benefits, and/or human resources records for Plaintiff.

2. WITHIN FOURTEEN DAYS OF THE DATE OF THIS ORDER,

Plaintiff's counsel shall certify that a copy of the motion to withdraw (DE 18) and the show cause order filed herewith (DE 24) has been served upon Plaintiff at all of his known addresses, as read on the record, and at or through any other addresses or social media sites identified by Defendant's

counsel or uncovered through the methods outlined below. The addresses on the record are as follows:

- a. 230 High St., Meter, GA 30439
 - b. 1301 Stansbury, Turtletown, TN 37391
 - c. 168 Dunn Rd., Farner, TN 37333
 - d. 1501 25th St. NW, Apt. 222, Cleveland, TN 37311
 - e. 1408 Mcleod Cir., Cordele, GA 31015
 - f. 140 Ridge St., Lot 6, Blue Ridge, GA 30513
3. Plaintiff's counsel shall further certify that he has done the following in an effort to determine Plaintiff's current address and give him notice of the motion and show cause order:
 - a. Text Plaintiff at all of his known phone numbers, as read on the record, and any phone number identified by Defendant's counsel or uncovered through the methods outlined below. The phone numbers on the record are as follows:
 - i. (706) 851-7904
 - ii. (229) 413-3678
 - iii. (423) 548-6487
 - iv. (423) 241-0473
 - v. (423) 494-3469
 - vi. (706) 851-7616
 - vii. (423) 326-4921
 - b. Search Facebook and LinkedIn to determine if Plaintiff can be reached at any social media account and certify efforts to communicate with and provide notice to Plaintiff through any such account that has been located; and

- c. Contact any known current spouse to obtain contact information for Plaintiff.

IT IS SO ORDERED.

Dated: June 24, 2016

s/Anthony P. Patti

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on June 24, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the

Honorable Anthony P. Patti